

107TH CONGRESS
1ST SESSION

S. 91

To amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2001

Mr. INOUE (for himself and Mr. AKAKA) introduced the following bill which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Native American Lan-
5 guages Act Amendments Act of 2001”.

6 **SEC. 2. PURPOSE.**

7 The purposes of this Act are to—

8 (1) encourage and support the development of
9 Native American Language Survival Schools as in-
10 novative means of addressing the effects of past dis-

1 crimination against Native American language
 2 speakers and to support the revitalization of such
 3 languages through education in Native American
 4 languages and through instruction in other academic
 5 subjects using Native American languages as an in-
 6 structional medium, consistent with United States
 7 policy as expressed in the Native American Lan-
 8 guages Act (25 U.S.C. 2901 et seq.);

9 (2) demonstrate the positive effects of Native
 10 American Language Survival Schools on the aca-
 11 demic success of Native American students and their
 12 mastery of standard English;

13 (3) encourage and support the involvement of
 14 families in the educational and cultural survival ef-
 15 forts of Native American Language Survival
 16 Schools;

17 (4) encourage communication, cooperation, and
 18 educational exchange among Native American Lan-
 19 guage Survival Schools and their administrators;

20 (5) provide support for Native American Lan-
 21 guage Survival School facilities and endowments;

22 (6) provide support for Native American Lan-
 23 guage Nests either as part of Native American Lan-
 24 guage Survival Schools or as separate programs that

1 will be developed into more comprehensive Native
 2 American Language Survival Schools;

3 (7) support the development of local and na-
 4 tional models that can be disseminated to the public
 5 and made available to other schools as exemplary
 6 methods of teaching Native American students; and

7 (8) develop a support center system for Native
 8 American Survival Schools at the university level.

9 **SEC. 3. DEFINITIONS.**

10 Section 103 of Public Law 101–477 (25 U.S.C.
 11 2902) is amended to read as follows:

12 “DEFINITIONS

13 “SEC. 103. In this Act:

14 “(1) INDIAN.—The term ‘Indian’ has the mean-
 15 ing given that term in section 9161 of the Elemen-
 16 tary and Secondary Education Act of 1965 (20
 17 U.S.C. 7881).

18 “(2) INDIAN TRIBAL GOVERNMENT.—The term
 19 ‘Indian tribal government’ has the meaning given
 20 that term in section 502 of Public Law 95–134 (42
 21 U.S.C. 4368b).

22 “(3) INDIAN TRIBE.—The term ‘Indian tribe’
 23 has the meaning given that term in section 4 of the
 24 Indian Self-Determination and Education Assistance
 25 Act (25 U.S.C. 450b).

1 “(4) INDIAN RESERVATION.—The term ‘Indian
2 reservation’ has the meaning given the term ‘res-
3 ervation’ in section 3 of the Indian Financing Act of
4 1974 (25 U.S.C. 1452).

5 “(5) NATIVE AMERICAN.—The term ‘Native
6 American’ means an Indian, Native Hawaiian, or
7 Native American Pacific Islander.

8 “(6) NATIVE AMERICAN LANGUAGE.—The term
9 ‘Native American language’ means the historical,
10 traditional languages spoken by Native Americans.

11 “(7) NATIVE AMERICAN LANGUAGE COLLEGE.—
12 The term ‘Native American Language College’
13 means—

14 “(A) a tribally-controlled community col-
15 lege or university (as defined in section 2 of the
16 Tribally-Controlled Community College or Uni-
17 versity Assistance Act of 1978 (25 U.S.C.
18 1801)) or a college applying for a Native Amer-
19 ican Language Survival School in a Native
20 American language which that college regularly
21 offers as part of its curriculum and which has
22 the support of an Indian tribal government tra-
23 ditionally affiliated with that Native American
24 language; or

25 “(B) Ka Haka ‘Ula O Ke’elikolani College.

1 “(8) NATIVE AMERICAN LANGUAGE EDU-
 2 CATIONAL ORGANIZATION.—The term ‘Native Amer-
 3 ican Language Educational Organization’ means an
 4 organization that—

5 “(A) is governed by a board consisting pri-
 6 marily of Native Americans and as many speak-
 7 ers of 1 or more Native American languages as
 8 possible;

9 “(B) is currently providing instruction
 10 through the use of a Native American language
 11 to at least 10 preschool, elementary, or high
 12 school students for at least 700 hours of in-
 13 struction per year per student;

14 “(C) has provided such instruction for at
 15 least 10 preschool, elementary, or high school
 16 students through a Native American language
 17 for at least 700 hours per year per student for
 18 not less than 3 years prior to applying for a
 19 grant under this Act; and

20 “(D) may be a public school that meets the
 21 requirements of subparagraphs (A), (B), and
 22 (C).

23 “(9) NATIVE AMERICAN LANGUAGE NEST.—The
 24 term ‘Native American Language Nest’ means a
 25 site-based educational program enrolling families

1 with children below the age of 7 which is conducted
 2 through a Native American language for at least
 3 700 hours per year per student with the specific goal
 4 of strengthening, revitalizing, or reestablishing a Na-
 5 tive American language and culture as a living lan-
 6 guage and culture of daily life.

7 “(10) NATIVE AMERICAN LANGUAGE SURVIVAL
 8 SCHOOL.—The term ‘Native American Language
 9 Survival School’ means a Native American language
 10 dominant site-based educational program which ex-
 11 pands from a Native American Language Nest, ei-
 12 ther as a separate entity or inclusive of a Native
 13 American Language Nest, to enroll families with
 14 children eligible for elementary or secondary edu-
 15 cation and which provides a complete education
 16 through a Native American language with the spe-
 17 cific goal of strengthening, revitalizing, or reestab-
 18 lishing a Native American language and culture as
 19 a living language and culture of daily life.

20 “(11) NATIVE AMERICAN PACIFIC ISLANDER.—
 21 The term ‘Native American Pacific Islander’ means
 22 any descendant of the aboriginal people of any is-
 23 land in the Pacific Ocean that is a territory or pos-
 24 session of the United States.

1 “(12) NATIVE HAWAIIAN.—The term ‘Native
2 Hawaiian’ has the meaning given that term in sec-
3 tion 9212 of the Elementary and Secondary Edu-
4 cation Act of 1965 (20 U.S.C. 7912).

5 “(13) SECRETARY.—The term ‘Secretary’
6 means the Secretary of Education.

7 “(14) TRADITIONAL LEADERS.—The term ‘tra-
8 ditional leaders’ includes Native Americans who have
9 special expertise in Native American culture and Na-
10 tive American languages.

11 “(15) TRIBAL ORGANIZATION.—The term ‘trib-
12 al organization’ has the meaning given that term in
13 section 4 of the Indian Self-Determination and Edu-
14 cation Assistance Act (25 U.S.C. 450b).”.

15 **SEC. 4. NATIVE AMERICAN LANGUAGE NESTS AND SUR-**
16 **VIVAL SCHOOLS.**

17 Title I of Public Law 101–477 (25 U.S.C. 2901 et
18 seq.) is amended by adding at the end the following new
19 sections:

20 “GENERAL AUTHORITY

21 “NATIVE AMERICAN LANGUAGE NESTS

22 “SEC. 108. (a) IN GENERAL.—The Secretary is au-
23 thorized to provide funds, through grant or contract, to
24 Native American Language Educational Organizations,
25 Native American Language Colleges, Indian tribal govern-
26 ments, organizations that demonstrate the potential to be-

1 come Native American Language Educational Organiza-
2 tions, or a consortia of such organizations, colleges, or
3 tribal governments for the purpose of establishing Native
4 American Language Nest programs for students below the
5 age of 7 and their families.

6 “(b) REQUIREMENTS.—A Native American Lan-
7 guage Nest program receiving funds under this section
8 shall—

9 “(1) provide instruction and child care through
10 the use of a Native American language for at least
11 10 children below the age of 7 for at least 700 hours
12 per year per student;

13 “(2) provide compulsory classes for parents of
14 students enrolled in a Native American Language
15 Nest in a Native American language, including Na-
16 tive American language-speaking parents;

17 “(3) provide compulsory monthly meetings for
18 parents and other family members of students en-
19 rolled in a Native American Language Nest;

20 “(4) provide a preference in enrollment for stu-
21 dents and families who are fluent in a Native Amer-
22 ican language;

23 “(5) receive at least 5 percent of its funding
24 from another source, which may include federally
25 funded programs, such as a Head Start program

1 funded under the Head Start Act (42 U.S.C. 9801
2 et seq.); and

3 “(6) ensure that a Native American language
4 becomes the dominant medium of instruction in the
5 Native American Language Nest within a period of
6 6 years of receiving funding under this Act.

7 “NATIVE AMERICAN LANGUAGE SURVIVAL SCHOOLS

8 “SEC. 109. (a) IN GENERAL.—The Secretary is au-
9 thorized to provide funds, through grant or contract, to
10 Native American Language Educational Organizations,
11 Native American Language Colleges, Indian tribal govern-
12 ments, or a consortia of such organizations, colleges, or
13 tribal governments to operate, expand, and increase Na-
14 tive American Language Survival Schools throughout the
15 United States and its territories for Native American chil-
16 dren and Native American language-speaking children, in-
17 cluding through the provision of direct educational services
18 and school support services.

19 “(b) ELIGIBILITY.—As a condition of receiving funds
20 under subsection (a), a Native American Language Edu-
21 cational Organization, a Native American Language Col-
22 lege, an Indian tribal government, or a consortia of such
23 organizations, colleges, or tribal governments—

24 “(1) shall—

25 “(A) have at least 3 years experience in
26 operating and administering a Native American

1 Language Survival School, a Native American
 2 Language Nest, or other educational programs
 3 in which instruction is conducted in a Native
 4 American language; and

5 “(B) include students who are subject to
 6 State compulsory education laws; and

7 “(2) may include students from infancy through
 8 grade 12, as well as their families.

9 “(c) PRIORITY.—In making grants or entering into
 10 contracts, the Secretary shall give priority to—

11 “(1) the provision of direct educational services;

12 “(2) applicants with the support of the appro-
 13 priate tribal government or governments; and

14 “(3) applicants that have researched language
 15 revitalization and the unique characteristics and cir-
 16 cumstances of the languages of their schools.

17 “(d) USE OF FUNDS.—

18 “(1) REQUIRED USES.—A Native American
 19 Language Survival School receiving funds under this
 20 section shall—

21 “(A) consist of not less than 700 hours of
 22 instruction per student conducted annually
 23 through a Native American language or lan-
 24 guages for at least 15 students for whom a Na-

1 tive American Language Survival School is
2 their principal place of instruction;

3 “(B) provide direct educational services
4 and school support services to students that
5 may also include—

6 “(i) support services for children with
7 special needs;

8 “(ii) transportation;

9 “(iii) boarding;

10 “(iv) food service;

11 “(v) teacher and staff housing;

12 “(vi) purchase of basic materials;

13 “(vii) adaptation of teaching mate-
14 rials;

15 “(viii) translation and development; or

16 “(ix) other appropriate services;

17 “(C) provide direct or indirect educational
18 and support services for the families of enrolled
19 students on site, through colleges, or through
20 other means to increase their knowledge and
21 use of the Native American language and cul-
22 ture, and may impose a requirement of family
23 participation as a condition of student enroll-
24 ment; and

1 “(D) ensure that within 3 years of enroll-
2 ment, all students achieve functional fluency
3 appropriate to the unique circumstances and
4 endangerment status of that Native American
5 language with the ultimate goal of academic or
6 cognitive fluency.

7 “(2) PERMISSIBLE USES.—A Native American
8 Language Survival School receiving funds under this
9 section may—

10 “(A) include Native American Language
11 Nests and other educational programs for stu-
12 dents who are not Native American language
13 speakers but who seek to establish fluency
14 through instruction in a Native American lan-
15 guage or to reestablish fluency as descendants
16 of Native American language speakers;

17 “(B) provide instruction through more
18 than 1 language;

19 “(C) provide instruction through a regional
20 program (as opposed to 1 site) to better serve
21 geographically dispersed students;

22 “(D) include a program of concurrent and
23 summer college or university education course
24 enrollment for secondary school students en-

1 rolled in Native American Language Survival
2 Schools, as appropriate;

3 “(E) provide special support for Native
4 American languages for which there are very
5 few or no remaining Native American language
6 speakers;

7 “(F) develop comprehensive curricula in
8 Native American language instruction and in-
9 struction through Native American languages
10 including—

11 “(i) curricula that can be used by
12 public schools for instruction through a
13 Native American language or teaching Na-
14 tive American languages as subjects;

15 “(ii) community Native American lan-
16 guage use in communities served by Native
17 American Language Survival Schools; and

18 “(iii) knowledge of a specific Native
19 American language gained through re-
20 search for the purpose of directly aiding
21 the development of curriculum materials;

22 “(G) provide programs in pre-service and
23 in-service teacher training, staff training, per-
24 sonnel development programs, programs to up-
25 grade teacher and staff skills, and community

resource development training, that shall include a program component which has as its objective increased Native American language speaking proficiency for teachers and staff employed in Native American Language Survival Schools and Native American Language Nests, which may include—

“(i) visits or exchanges among Native American Language Survival Schools and Native American Language Nests of school or nest teachers, staff, students, or families of students;

“(ii) participation in conference or special nondegree programs focusing on the use of a Native American language or languages for the education of students, teachers, staff, students, or families of students;

“(iii) full or partial scholarships and fellowships to colleges or universities for the professional development of faculty and staff, and to meet requirements for the involvement of the family or the community of Native American Language Survival School students in Native American Lan-

1 guage Survival Schools, and to develop re-
 2 source persons for Native American lan-
 3 guage programs in public schools, provided
 4 that a recipient of a fellowship or scholar-
 5 ship awarded under the authority of this
 6 clause who is enrolled in a program leading
 7 to a degree or certificate shall—

8 “(I) be trained in the Native
 9 American language of the Native
 10 American Language Survival School,
 11 if such program is available through
 12 that Native American language;

13 “(II) complete a minimum an-
 14 nual number of hours in Native Amer-
 15 ican language study or training dur-
 16 ing the period of the fellowship or
 17 scholarship; and

18 “(III) enter into a contract which
 19 obligates the recipient to provide his
 20 or her professional services, either
 21 during the fellowship or scholarship
 22 period or upon completion of a degree
 23 or certificate, in Native American lan-
 24 guage instruction in the Native Amer-
 25 ican language associated with the Na-

“(iv) training in the language and culture associated with a Native American Language Survival School either under community or academic experts in programs which may include credit courses;

9 “(v) structuring of personnel oper-
10 ations to support Native American lan-
11 guage and cultural fluency and program
12 effectiveness;

“(vi) Native American language plan-
ning, documentation, reference material
and archives development; or

“(vii) recruitment for participation in
teacher, staff, student, and community de-
velopment; or

19 “(H) rent, lease, purchase, construct,
20 maintain or repair educational facilities to en-
21 sure the academic achievement of Native Amer-
22 ican Language Survival School students.

23 “DEMONSTRATION PROGRAMS REGARDING LINGUISTICS
24 ASSISTANCE

25 “SEC. 110. (a) DEMONSTRATION PROGRAMS.—The
26 Secretary shall provide funds, through grant or contract,

1 for the establishment of 3 demonstration programs that
 2 will provide assistance to Native American Language Sur-
 3 vival Schools and Native American Language Nests. Such
 4 demonstration programs shall be established at—

5 “(1) Ka Haka ‘Ula O Ke‘elikolani College of
 6 the University of Hawaii at Hilo, in consortium with
 7 the ‘Aha Punana Leo, Inc., and with other entities
 8 if deemed appropriate by such College, to—

9 “(A) conduct a demonstration program in
 10 the development and operation of the various
 11 components of a regional Native American Lan-
 12 guage Survival School program and college level
 13 Native American language teaching and use
 14 that is supportive of Native American Lan-
 15 guage Survival Schools; and

16 “(B) provide assistance in the establish-
 17 ment, operation, and administration of Native
 18 American Language Nests and Native Amer-
 19 ican Language Survival Schools by such means
 20 as training, hosting informational visits to dem-
 21 onstration sites, and providing a national clear-
 22 inghouse for data and information relevant to
 23 teaching Native American languages, outreach,
 24 courses, conferences, and other means;

1 “(2) Piegan Institute of Browning, Montana to
2 demonstrate the operation of a Native American
3 Language Nest and Survival School; and

4 “(3) the Alaska Native Language Center of the
5 University of Alaska at Fairbanks, in consortium
6 with other entities as deemed appropriate by such
7 Center, to conduct a demonstration program, train-
8 ing, outreach, conferences, visitation programs, and
9 other assistance in developing orthographies, re-
10 source materials, language documentation, language
11 preservation, material archiving, and community
12 support development.

13 “(b) USE OF TECHNOLOGY.—The demonstration
14 programs authorized to be established under this section
15 may employ synchronic and asynchronic telecommuni-
16 cations and other appropriate means to maintain coordi-
17 nation and cooperation with one another and with partici-
18 pating Native American Language Survival Schools and
19 Native American Language Nests.

20 “(c) DIRECTIONS TO THE SECRETARY.—The dem-
21 onstration programs authorized to be established under
22 this section shall provide direction to the Secretary in de-
23 veloping a site visit evaluation of Native American Lan-
24 guage Survival Schools and Native American Language
25 Nests.

1 “(d) FOLLOWUP AND DATA COLLECTION.—The dem-
 2 onstration programs authorized to be established under
 3 this section may conduct followup data collection and anal-
 4 ysis on students while they are in school to assess how
 5 Survival School students are performing in comparison to
 6 other students, as well as identify instructional methods
 7 that are working and those methods which may not be
 8 working.

9 “(e) ENDOWMENTS AND FACILITIES.—The dem-
 10 onstration programs authorized to be established under
 11 this section may establish endowments for the purpose of
 12 furthering their activities relative to the study and preser-
 13 vation of Native American languages, and may use funds
 14 to provide for the rental, lease, purchase, construction,
 15 maintenance, and repair of facilities.

16 “AUTHORIZATION OF APPROPRIATIONS

17 “SEC. 111. There are authorized to be appropriated
 18 such sums as may be necessary to carry out the activities
 19 authorized by this Act for each of fiscal years 2002
 20 through 2007.”.

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